

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 9, 2004, at 9:30 a.m. the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

APPEARANCE

Scott Fabel

(229) In the matter of MCI Communications - Non-Docket No. N2004.10.171: On October 21, 2004, MCI filed a revision to its Montana Tariff No. 2. The purpose of this filing is to make a textual change to the Payphone Use Charge and Basic Calling Plan GG; add rates and language to Payphone Use Charge.

Commissioner Brainard moved to approve the revision to Tariff No. 2. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Kim Moran

(230) In the matter of Qwest Services Corporation - Non-Docket No. N2004.10.172: On October 25, 2004 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and H&R Block Services, Inc. This filing was submitted pursuant to *Section 2.18 - Volume and Term Discounts to Large Business Customers with a Multi-State Presence of Qwest's Exchange and Network Services Tariffs*.

Commissioner Schneider moved to approve the MSA between Qwest and H&R Block Services, Inc. Commissioner Jergeson seconded the motion, which passed unanimously.

(231) In the matter of Qwest Services Corporation - Non-Docket No. N2004.10.173: On October 25, 2004 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and Wells Fargo Bank, N.A. This filing was submitted pursuant to *Section 2.18 - Volume and Term Discounts to Large Business Customers with a Multi-State Presence of Qwest's Exchange and Network Services Tariffs*.

Commissioner Jergeson moved to approve the MSA between Qwest and Wells Fargo Bank. Commissioner Schneider seconded the motion, which passed unanimously.

(232) In the matter of Qwest Services Corporation - Non-Docket No. N2004.10.174: On October 25, 2004 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and W.W. Grainger, Inc. This filing was submitted pursuant to *Section 2.18 - Volume and Term Discounts to Large Business Customers with a Multi-State Presence of Qwest's Exchange and Network Services Tariffs*.

Commissioner Stovall moved to approve the MSA between Qwest and W.W. Grainger, Inc. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(233) In the matter of TN2240: Valet Limousine, Inc., Missoula, Montana requests permission to lease PSC No. 7172 to Valet Limousine LLC, Missoula, Montana for a six (6) month period, November 9, 2004 to May 9, 2005.

Commissioner Brainard moved to grant the lease of PSC No. 7172 for the six month period requested. Commissioner Stovall seconded the motion, which passed unanimously.

(234) In the matter of the approval of Commission Minutes;

Commissioner Schneider moved to approve the Commission Minutes for the week of November 1, 2004. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE
Leroy Beeby

(235) In the matter of the Commission's discussion of the Fairmont Tariff Complaint;

Commissioner Schneider moved to issue a notice of formal complaint. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE
Marla Larson

(236) In the matter of the Commission's discussion of the Organization of MISO States:

Commissioner Jergeson moved that the Montana Commission join in the comments and that he be authorized to cast Montana's vote on any amendments/modifications. Commissioner Schneider seconded the motion, which passed unanimously.

Commissioner Jergeson moved that he be delegated to represent Montana's position with respect to the adoption of language related to pricing in the anticipated OMS resolution. Commissioner Stovall seconded the motion, which passed 5-0.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, November 10, 2004, at 9:30 a.m. the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner (via telephone)
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

APPEARANCE

Monica Tranel, Scott Fabel

(237) In the matter of the Commission's discussion of Qwest Capital Expenditures - Docket No. D99.8.200:

Commissioner Jergeson moved to issue a notice of apparent noncompliance and an opportunity to comment with the amendments discussed. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Monica, Tranel and Gary Duncan

(238) In the matter of the Commission's discussion of Ronan & Hot Springs Telephone Companies - Docket No. D2004.3.39 - Wireline to Wireless Number Portability:

Commissioner Schneider moved to approve the draft order with deletion of the last phrase and with the addition of transport costs. Commissioner Stovall seconded the motion, which passed unanimously.

(239) In the matter of the Commission's discussion of Legislative Issues:

APPEARANCE

Robin McHugh, Administrator
Legal Division

(240) In the matter of the Commission's discussion of Protective Orders:

Commissioner Schneider moved to authorize staff to move forward with an amendment to §69.3.105 to come into compliance with constitutional requirements. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation/Centralized Services Division

(241) In the matter of the Commission's discussion of the draft audit response:

Commissioner Jergeson moved to concur with the two audit recommendations and that staff be directed to draft language demonstrating the Commission's compliance with state law. Commissioner Schneider

seconded the motion, which passed unanimously.

(242) In the matter of the Commission's discussion of personnel matters:

Commissioner Jergeson moved to authorize \$20,000 of consulting funds to further case management conversion. Commissioner Schneider seconded the motion, which passed unanimously.

Commissioner Schneider moved to approve the per diem for Monica Tranel's attendance at the Inter-carrier Compensation meeting and Broadband Summit. Commissioner Stovall seconded the motion, which passed unanimously.

Commissioner Stovall moved to authorize Al Brogan to attend the conference in Washington in January. Commissioner Jergeson seconded the motion, which passed unanimously.

Commissioner Schneider moved to reduce each Commissioner's out-of-state travel by \$1,000, for a total of \$5,000. Commissioner Brainard seconded the motion, which passed 3-2. Commissioner Rowe and Commissioner Jergeson voted nay.

APPEARANCE

Monica Tranel

(243) In the matter of the Commission's discussion of District Court litigation - Cause No. CDV 2003-464:

Commissioner Stovall moved to close the meeting pursuant to §2-3-203(4) MCA. Closure of a meeting is available when the disclosure of discussion would jeopardize public interest. Commissioner Brainard seconded the motion, which passed unanimously.

Commissioner Schneider moved that Montana Consumer Counsel having filed a joint brief remain in the otherwise closed work session. Commissioner Stovall seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)